

IN RE:

APRIL LYNN DEVORE

:

Bankruptcy Case No. 19-21472TPA

:

Chapter 13

:

Debtor(s)

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated June 28, 2020, except as modified herein as checked below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which **Status Conference** is scheduled for N/A remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteedpa.com, (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

- ☐

1.

For the remainder of the Plan term, the periodic Plan payment is to be \$ _____ as of _____.

Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐

2.

The length of the Plan is increased to a total of ____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐

3.

_____ shall be paid monthly payments of \$ _____ beginning with the Trustee's _____ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐

4.

The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:

Claimant: _____ Claim #: _____

Claimant: _____ Claim #: _____

Claimant: _____ Claim #: _____
- ☒

5.

Additional Terms: (a) A fee application is needed if any fee, including retainer, exceeds \$4,000, including any fees paid to prior counsel.

(b) The secured claims of the following creditors shall govern, and then following all allowed post-petition payment change notices of record: Bayview Loan (Cl 13) and Pennymac Loan (Cl 16-2)

(c) Debtor shall file, serve, and self-schedule a **CARES Act Motion** indicating why a plan extension is appropriate and detailing the cause of how the Debtor's inability to fund the Plan is directly or indirectly related to the Pandemic, resolution of which may affect the extension of the Plan term to 84 months
- 1

- X **6.** The Interim Confirmation Order dated *May 28, 2019*, Doc. 24 is ***VACATED***.
The Confirmation Order dated *October 28 2019*, Doc 35 is ***VACATED***.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. Objections to the Plan: This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)(3)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this Confirmed Plan. The Trustee may only disburse funds pursuant to this Confirmation Order upon expiration of the foregoing twenty-eight (28) day period.

2. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. Review of Claims Docket and Objections to Claims. Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely..

4. Motions or Complaints Pursuant to §§506, 507, or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

2. Following payment of allowed secured and priority claims, the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees

in excess of the “no look” provision (including retainer) will be allowed or paid.

7. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

8. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: December 7, 2020
(Effective Date)



Thomas P. Agresti
United States Bankruptcy Judge ljm

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
April Lynn DeVore
Debtor(s)

Case No. 19-21472-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Dec 07, 2020

User: dkam
Form ID: pdf900

Page 1 of 3
Total Noticed: 47

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 09, 2020:

Recip ID	Recipient Name and Address
db	+ April Lynn DeVore, 7647 Saltsburg Road, Pittsburgh, PA 15239-1755
15072486	BAYVIEW LOAN SERVICING,LLC, CASHIERING, 4425 PONCE DE LEON BLVD., 5TH FLOOR, CORAL GABLES FL 33146
15031224	+ Bayview Loan Servicing, PO Box 650091, Dallas, TX 75265-0091
15045962	+ Borough of Plum, C/O Plum Borough Property Tax, 4555 New Texas Rd., Pittsburgh, PA 15239-1167
15302705	+ Community Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gable, FL 33146-1873
15031230	+ Eli Milis, 2907 Canterbury Drive, Imperial, PA 15126-9193
15031231	+ Fed Loan Services / Dept of Education, PO Box 530210, Atlanta, GA 30353-0210
15031232	+ First National Bank, 4140 East State St., Hermitage, PA 16148-3401
15031233	+ Firstsource Advantage, 205 Bryant Woods South, Buffalo, NY 14228-3609
15031236	+ Linda DeVore, 7647 Saltsburg Road, Pittsburgh, PA 15239-1755
15093076	+ PENNYMAC LOAN SERVICES, LLC, P.O. BOX 2410, MOORPARK CA 93020-2410
15031241	#+ Patenaude & Felix, APC, 4545 Murphy Canyon Rd., 3rd Floor, San Diego, CA 92123-4363
15031242	+ Penn Hills Twp., Penn Hills SD, c/o Keystone Collections Group, PO Box 529, Irwin, PA 15642-0529
15031243	+ PennyMac Loan Services, LLC, PO Box 660929, Dallas, TX 75266-0929
15059055	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15031244	+ Plum Borough School District, 4555 New Texas Road, Pittsburgh, PA 15239-1195
15071428	+ Plum Borough School District, C/O Weiss Burkardt Kramer, LLC, 445 Fort Pitt Blvd., STE 503, Pittsburgh, PA 15219-1308
15031245	+ Solomon Boswell, 107 Yosemite Drive, Pittsburgh, PA 15235-2043
15031246	+ State Collection Service/Magee Hospital, 2509 S. Stoughton Rd., Madison, WI 53716-3314
15031247	+ The Home Depot Credit Services, PO Box 9001010, Louisville, KY 40290-1010
15031248	+ The Physical Therapy Institute, 480 Johnson Road, Ste 303, Washington, PA 15301-8936
15073780	U.S. Department of Education, c/o FedLoan Servicing, P.O. Box 69184, Harrisburg, PA 17106-9184
15031249	+ UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472
15067103	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123

TOTAL: 24

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 08 2020 04:49:43	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15031223	+ Email/Text: ally@ebn.phinsolutions.com	Dec 08 2020 05:03:00	Ally Auto, PO Box 9001951, Louisville, KY 40290-1951
15058984	Email/Text: ally@ebn.phinsolutions.com	Dec 08 2020 05:03:00	Ally Bank Lease Trust, PO Box 130424, Roseville MN 55113-0004
15031225	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 08 2020 04:42:20	Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
15052367	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 08 2020 04:33:37	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15031226	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 08 2020 04:42:20	Capital One Bank USA, PO Box 71083, Charlotte, NC 28272-1083

District/off: 0315-2

User: dkam

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Date Rcvd: Dec 07, 2020

Form ID: pdf900

Total Noticed: 47

15031227	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:42:11	CareCredit/Synchrony Bank, PO Box 960061, Orlando, FL 32896-0061
15031228	+ Email/Text: bdsupport@creditmanagementcompany.com	Dec 08 2020 05:05:00	Credit Management Co., Premier Medical Assoc., PO Box 16346, Pittsburgh, PA 15242-0346
15031229	Email/Text: G06041@att.com	Dec 08 2020 05:05:00	Directv, PO Box 6550, Englewood, CO 80155
15070901	+ Email/Text: kbarkley@bernsteinlaw.com	Dec 08 2020 05:05:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15031234	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Dec 08 2020 05:04:00	Internal Revenue Service*, Centralized Insolvency Operations, PO Box 7346, Philadelphia, PA 19101-7346
15031235	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:49:27	JC Penney/Synchrony Bank, PO Box 960090, Orlando, FL 32896-0090
15031237	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:49:29	Lowes/Synchrony Bank, PO Box 530914, Atlanta, GA 30353-0914
15031238	+ Email/Text: bankruptcy@sccompanies.com	Dec 08 2020 05:06:00	Montgomery Ward, 1112 7th Ave., Monroe, WI 53566-1364
15052753	+ Email/Text: bankruptcy@sccompanies.com	Dec 08 2020 05:06:00	Montgomery Ward, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
15031240	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Dec 08 2020 05:04:00	PA Department of Revenue*, Bureau of Compliance, PO Box 280946, Harrisburg, PA 17128-0946
15031239	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Dec 08 2020 05:04:00	PA Department of Revenue*, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0946
15072597	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 08 2020 04:49:43	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15041080	Email/Text: RVSVCBICNOTICE1@state.pa.us	Dec 08 2020 05:04:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946
15068865	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:49:29	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15031690	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:33:29	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15031250	+ Email/PDF: gecsed@recoverycorp.com	Dec 08 2020 04:33:30	Walmart, PO Box 530927, Atlanta, GA 30353-0927
15031251	+ Email/Text: documentfiling@lciinc.com	Dec 08 2020 05:03:00	Xfinity, PO Box 70219, Philadelphia, PA 19176-0219

TOTAL: 23

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		BAYVIEW LOAN SERVICING, LLC
cr		Community Loan Servicing, LLC
cr		Pennymac Loan Services, LLC
cr		Plum Borough School District C/O Weiss Burkardt Kr, 445 Fort Pitt Blvd. Ste. 503, Pittsburgh
cr	*+	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828

TOTAL: 4 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

District/off: 0315-2

User: dkam

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Date Rcvd: Dec 07, 2020

Form ID: pdf900

Total Noticed: 47

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 09, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 7, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Community Loan Servicing LLC bnicholas@kmlawgroup.com
Jerome B. Blank	on behalf of Creditor BAYVIEW LOAN SERVICING LLC pawb@fedphe.com
Jerome B. Blank	on behalf of Creditor Pennymac Loan Services LLC pawb@fedphe.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Mario J. Hanyon	on behalf of Creditor Pennymac Loan Services LLC mario.hanyon@brockandscott.com, wbecf@brockandscott.com
Mario J. Hanyon	on behalf of Creditor BAYVIEW LOAN SERVICING LLC mario.hanyon@brockandscott.com, wbecf@brockandscott.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com
Scott R. Lowden	on behalf of Debtor April Lynn DeVore niclowlgl@comcast.net
Thomas Song	on behalf of Creditor Pennymac Loan Services LLC pawb@fedphe.com
Thomas Song	on behalf of Creditor BAYVIEW LOAN SERVICING LLC pawb@fedphe.com
Victor Samuel Kustra	on behalf of Creditor Plum Borough School District C/O Weiss Burkardt Kramer LLC. csilliman@wbklegal.com, jburkardt@wbklegal.com

TOTAL: 13